

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**TYLER T. HEAGY,**

**Plaintiff,**

**v.**

**ALFREDO ORTIZ, *et al.*,**

**Defendants.**

**CIVIL ACTION NO. 17-4394**

**ORDER**

**AND NOW**, this 7th day of July 2021, upon consideration of Defendants Motions to Dismiss, the supplemental briefing, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that:

1. Defendants Motions to Dismiss [Doc. Nos. 26, 27, 28, 30] are **GRANTED**.
2. Plaintiff's Claims against Defendants Officer Alfredo Ortiz, Officer Scott S. Schmittinger, Southern Berks Regional EMS, are **DISMISSED with prejudice**.
3. Plaintiff's claims against the PrimeCare and BCJS Defendants<sup>1</sup> are **DISMISSED without prejudice**, with leave to amend.
4. Defendants' Supplemental Motions to Dismiss [Doc. Nos. 39, 40], Defendants' Motions to Dismiss for Lack of Prosecution [Doc. Nos. 55, 57], and Plaintiff's Motion for Extension of Time [Doc. No. 67] are **DISMISSED** as moot.
5. Plaintiff may file an Amended Complaint, to cure the deficiencies explained in the accompanying Memorandum Opinion, no later than **August 6, 2021**. If

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<sup>1</sup> Defendants PrimeCare Medical, Victoria Gessner, Kenneth Wloczewski, Paula Dillman-McGowan, Marcie Gilmore, Sandra Swartley, Kayla Readinger, Fernando Torres, Janie Quigley, Stephanie Smith, Captain Castro, and Jessica Collins.

Plaintiff does not file an Amended Complaint, this case may be closed without further notice.

It is so **ORDERED**.

**BY THE COURT:**

**/s/ Cynthia M. Rufe**

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**CYNTHIA M. RUFÉ, J.**